

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
Plaintiff,) 8:00CR128
)
vs.) ORDER
)
DONALD D. MUELLER,)
)
Defendant,)

IT IS ORDERED that, on the court's own motion and due to a trial conflict the week of December 19, 2005, the evidentiary hearing regarding defendant's "Motion to Vacate Sentence and Conviction Pursuant to Title 28 U.S.C. § 2255" (Filing No. 98) is rescheduled before the undersigned in Courtroom No. 3, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, on **January 12, 2006, at 1:30 p.m.** Since this is a criminal case, the defendant must be present, unless excused by the court. If an interpreter is required, one must be requested by the plaintiff in writing five (5) days in advance of the scheduled hearing.

The defendant will be present for this hearing.

DATED this 7th day of December, 2005.

BY THE COURT:

s/ Joseph F. Bataillon
Joseph F. Bataillon
United States District Judge